



**TOWN OF PARACHUTE  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES**

**February 11, 2016**

**6:30 P.M.**

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**ACTION MINUTES**

Meeting was called to order by Chair Kellie Stanton at 6:30 p.m.

**(A) ROLL CALL:**

**COMMISSION MEMBERS PRESENT:**

**CANDY ALLBEE  
ROY MCCLUNG  
TIM OLK  
KELLIE STANTON, CHAIR  
JUANITA WILLIAMS**

**COMMISSION MEMBER ABSENT:**

**SHERRY LOSCHKE**

**STAFF PRESENT:**

**TOWN MANAGER, STUART MCARTHUR  
TOWN CLERK, DENISE CHIARETTA  
TOWN PLANNING, DAVIS FARRAR**

**(B) PLEDGE OF ALLEGIANCE**

**(C) APPROVAL OF AGENDA**

**MOTION NO. 1:**

Moved and seconded by members Stanton / McClung to approve the agenda as presented.

Vocal vote passed unanimously.

**(D) CONSIDERATION OF MINUTES**

Regular Meeting November 12, 2015

**APPLICANT/OWNER:** John B. Loschke and Sherry Loschke  
250 S. Railroad Avenue  
Parachute, CO 81635

**PROJECT NAME:** Public meeting to seek authorization from the Town of Parachute to re-zone a property that is currently zoned Service Commercial to Light Industrial.

**PROJECT LOCATION:** 250 ½ S. Railroad Avenue  
Parachute, CO 81635

**LEGAL DESCRIPTION(S):** A parcel located within Lot 4 of Section 7, Township 7 South Range 95 West of the 6<sup>th</sup> Meridian more particularly described as follows: Beginning at a point on the north line of a county road, from whence the West Quarter Corner of said Section 7 bears South 65 degrees 58'10" West 677.33 feet: Thence South 82 degrees 29'50" West along a road right of way fence line 107.40 feet; Thence North 07degrees 25'13" West along a fence line 160.0 feet: Thence north 82 degrees 29'50" East along a fence line 25.00 feet: Thence North 07 degrees 25'13" East along a fence line 571.24 feet to the POINT OF BEGINNING.  
County of Garfield  
State of Colorado

Public meeting called to order at 6:39 p.m.

Chair Stanton asked if the applicant was present. They answered in the affirmative.

Chair Stanton asked Town Clerk Chiaretta if the meeting has been properly noticed and if there was proof of publication.

Town Clerk Chiaretta answered in the affirmative.

Chair Stanton asked if there was proof of certified mailings to property owner.

Town Clerk Chiaretta stated that there was proof of certified mailings.

Davis Farrar, Town Planner presented his staff report and over view of his staff report.

Mr. Farrar will make his recommendation after the applicant has made his presentation and comments are heard from the general public.

Chair Stanton had the representative of the applicant come forward and sworn she swore him in.

Applicant representative is Phil Vaughn of Phil Vaughn Construction Management, Inc. located at 1038 County Road 323 Rifle, CO. 81650.

Mr. Vaughn went over the application explaining where the retail cultivation facility would be located. He also went over the buildings and vacant land surrounding the area in question.

Mr. Vaughn also went over lighting and signage for this property.

Mr. Vaughn covered the question of there being any odor issues with the facility. He stated that there should be none.

Town Planner Farrar recommended that the special use be approved with conditions: 1 through 15.

Mr. Vaughn ask to add one more condition and agrees with the Town's recommendations. Condition 16

Chair Stanton asked if the Commission members had any questions for the applicant.

Commissioner McClung asked

No other questions were asked.

Chair Stanton stated that she would now open the public comment portion of the public meeting.

Chair Stanton swore in the members of the public that had signed up to speak.

Pam Jarret 184 South 2<sup>nd</sup> Court Parachute, CO - Ms. Jarret questioned the notices that were posted in October as there were conflicting owners listed in the notices in the paper and feels that not all persons understand that this is still happening.

Katherine Backus 5708 County Road 301 Parachute, CO - Ms. Backus is concerned with how close this is to her property and she has lost sales on her property due to the fact that they were told that this project was coming before the planning and zoning and would like someone to explain to her why the zoning is being changed and she will not be able to sell her property to someone that would like to do a retail business

Tammie Thomason Booker, manager from Candlewood Suites stated that she is definitely in favor of anything that would bring any activity/business to the Town of Parachute.

Chair Stanton asked if there were any other persons that had not signed up that would like to speak.

Ron Jarret 184 South 2<sup>nd</sup> Court Parachute, CO – Mr. Jarret asked if the application would have to be filed and approved before a building permit would be issued.

Town Planner Farrer stated that they would have to file for a building permit.

Town Manager McArthur added that they would also have to apply for a state license and a Town license before they could start to grow and / or sell.

Mr. Vaughn had a comment regarding the public notices. He stated they notified property owners as far out as 300 feet and everything was followed according to Town requirements.

Town Manager McArthur stated that Ms. Jarret needed to specify which applicants she was referring to as there were several.

Town Manager McArthur explained how the 150 feet distance requirement worked to the public and the Commission.

Chair Stanton closed the public meeting at 7:53.

Chair Stanton asked if the Commission had any comments or questions.

Commission Member McClung stated that this is the best presented application that has come before the Planning and Zoning Commission and that it was the first time the applicant agreed with all the staff recommendations.

Commission Member Williams had comments on the landscaping and asked what would happen when the products grow facility was loading would that be a problem with orders escaping.

Town Planner Farrar stated he was not sure but with the doors open it would be likely that the air would be sucked in, but he was not sure if there was a problem the Town would get reports of the smell and send a sniffer to the property and have it taken care of.

### **MOTION NO. 3:**

Moved and seconded by members McClung / Olk to move the Loschke Request for a Special Review Use with the sixteen recommendations agreed upon by applicant and Planning and Zoning Commission to the Board of Trustees.

Motion passed unanimously.

### **VII. Planning Commission Recommendation:**

The Planning Commission recommended **APPROVAL** of the Loschke Retail Marijuana Cultivation Facility Special Review Use application with the following conditions.

1. The applicant shall conform to the land dedication requirements specified in Section 15.01.111.
2. The applicant shall conform to the landscaping requirements applicable for all businesses, commercial and industrial uses specified in Section 15.03.197, and a detailed plan addressing the items in this section shall be submitted for review and approval by the town prior to issuance of a building permit.
3. The applicant shall conform to Section 15.03.199 - Building Exterior Design Standards and shall submit detailed plans subject to staff review and approval prior to issuance of a building permit.

4. The applicant shall conform to the applicable lighting requirements in Parachute Land Use Code Design Standards in Section 15.06.104 and other applicable sections and shall submit a lighting plan for all exterior lighting, which shall be subject to staff review and approval prior to issuance of a building permit.
5. All parking spaces (including loading areas) shall conform to the Town of Parachute parking requirements and shall be surfaced with asphalt or concrete.
6. As required by the Parachute Municipal Code, the applicant shall submit a detailed site plan subject to review and conformance with Section 15.07.112 Site Plan Review.
7. All access to the site shall conform to all Town of Parachute requirements. Compliance with access requirements shall be demonstrated prior to issuance of a building permit.
8. Applicant shall utilize odor control technology to mitigate to Town staff's satisfaction the smells associated with the Retail Marijuana Cultivation Facility use.
9. The applicant shall conform to the requirements of the Parachute Sign Code for which, a separate sign permit application is required.
10. The applicant shall conform to the recommendations of the Parachute Fire Protection District in their letter dated 10/19/2015.
11. Applicant shall submit reports prepared by a qualified Colorado-licensed engineer on water demands, wastewater generation, site drainage, traffic generation, and other related site impacts for review and approval by staff prior to issuance of a building permit.
12. All development on the site shall comply with the adopted fire codes applicable to the Town of Parachute.
13. The Record of Decision by the Parachute Board of Trustees for the Loschke Retail Marijuana Cultivation Facility Special Review Use shall be recorded in the real estate records of the Garfield County Clerk and Recorder.
14. All representations made in the Applicant's written materials or verbally as reflected in the minutes of the public meetings or hearings where the Application was presented to or considered by the Commission and/or Board of Trustees are considered part of the Application and binding on the Applicant.
15. Applicant shall reimburse the Town for any and all fees, including consulting costs, incurred in the review of the Application.
16. The Town of Parachute will allow for the applicant to apply for building permits for the proposed warehouse/cultivation 18,000 sq. ft. building or the proposed retail 1,500 sq. ft. building in any other. The Town of Parachute agrees that the application for a building permit and construction of either structure may be phased by the applicant. The site plan submitted for building permit issuance shall incorporate the footprint of the 2<sup>nd</sup> phase building.

#### **VIII. Recommended Board of Trustees Motion:**

The recommended motion on the special review use application.

*The Board of Trustees **APPROVES** of the Loschke application for a Retail Marijuana Cultivation Facility Special Review Use with the Planning Commission recommended conditions and the addition of condition 16 proposed by the applicant.*

(Any modifications or additional conditions made by the Board of Trustees should be added to this motion).

#### **(H) OTHER MATTERS**

(I) **MOTION TO ADJOURN**

Moved and seconded by members Olk / McClung to adjourn.

Vocal vote passed unanimously.

Meeting adjourned at 8:02 p.m.

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Chairperson

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Town Clerk

**MOTION NO. 2:**

Moved and seconded by members McClung / Williams to approve the minutes from the November 12, 2015 meeting as presented.

Motion passed unanimously.

**(E) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

There were none.

**(F) PUBLIC MEETING BEFORE THE PLANNING AND ZONING COMMISSION TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM BRUCE HOGGAN FOR A SPECIAL USE REVIEW TO BUILD AN OUTDOOR RECREATION FACILITY IN A SERVICE COMMERCIAL ZONED AREA (CANCELLED).**

Bruce Hoggan has requested to cancel his development review. He stated to the Commission that he cannot get the funding at this time to build facility on Cardinal Way.

**APPLICANT/OWNER:**

Bruce Hoggan  
225 Callahan Avenue  
Parachute, CO 81635

**PROJECTNAME:**

Public meeting to seek authorization from the Town of Parachute for a Special Use Review to build an outdoor recreation center in an area that is zoned Service Commercial

**PROJECT LOCATION:**

68 Cardinal Way  
Parachute, CO 81635

**LEGAL DESCRIPTION(S):**

Section: 12 Township: 7 Range: 96  
Subdivision: SPRING LAKE ESTATES,  
SECTION E Lot: 3 A RESUB OF LOT  
2A, SEC.E  
6<sup>th</sup> Prime Meridian  
County of Garfield State of Colorado

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**(G) THE CONTINUATION OF THE PUBLIC MEETING BEFORE THE PLANNING AND ZONING COMMISSION TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM JOHN B. AND SHERRY L. LOSCHKE FOR A SPECIAL USE REVIEW TO BUILD RETAIL MARIJUANA CULTIVATION FACILITY IN A SERVICE COMMERCIAL ZONED AREA**